

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JEFFERSON-PILOT LIFE INSURANCE
COMPANY,

: Case No. C-1-02-479

Plaintiff,

: (Judge Spiegel)

: (Magistrate Judge Hogan)

vs.

CHRISTOPHER L. KEARNEY,

: **NOTICE OF FILING PRIVILEGE
LOG**

Defendant.

:

On May 14, 2004 counsel for Plaintiff hand delivered to counsel for Defendant a copy of its Privilege Log. There has since been one addition to the Privilege Log with regard to previously produced communications which should not have been produced. An updated copy is attached and being filed with the Court.

Respectfully submitted,

s/Amy Gasser Callow

William R. Ellis (0012279)

Peter M. Burrell (0044139)

Amy Gasser Callow (0063470)

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(513) 852-6000

Trial Attorneys for Plaintiff
Jefferson-Pilot Life Insurance Company

EXHIBIT

1

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been filed with the Court by electronic means on this 28th day of May 2004. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Amy Gasser Callow

Amy Gasser Callow, Esq.

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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF OHIO
 WESTERN DIVISION

| | | |
|---------------------------|---|-----------------------------|
| JEFFERSON-PILOT INSURANCE | : | |
| COMPANY, | : | Case No. C-1-02-479 |
| | : | |
| Plaintiff, | : | (Judge Spiegel) |
| | : | |
| vs. | : | <u>PRIVILEGE LOG</u> |
| | : | |
| CHRISTOPHER L. KEARNEY, | : | |
| | : | |
| Defendant. | : | |

The following documents have not been produced subject to a claim of privilege as specified below.

| <u>Document Number</u> | <u>Document Identity</u> |
|-------------------------------|--|
| 2819-2820 | Privileged communication from counsel to client |
| 2932 | Privileged communication from client to counsel |
| 2934-2935 | Privileged communication from client to counsel with notes |
| 2938-2939 | Privileged communication from client to counsel |
| 2941-2944 | Privileged communications from client to counsel |
| 2949 | Privileged communication from client to counsel |
| 3151-3152 | Privileged communication from counsel to client |
| 3372 | Privileged communication between counsel |
| 3376 | Privileged communication between counsel |
| 3382 | Privileged communication from client to counsel |
| 3419 | Privileged communication from client to counsel |
| 3421-3423 | Internal communication of Rotzel & Andress |

| <u>Document Number</u> | <u>Document Identity</u> |
|------------------------|---|
| 3430 | Privileged communication between counsel |
| 3480 | Privileged communication between counsel |
| 3493 | Privileged communication between counsel |
| 3497 | Privileged communication from client to counsel |
| 3508-3509 | Privileged communication between counsel |
| 3519 | Privileged communication between counsel |
| 3528 | Privileged communication from client to counsel |
| 3544 | Privileged communication from client to counsel |
| 3547 | Privileged communication from client to counsel |
| 3551 | Privileged communication between counsel |
| 3608-3609 | Privileged communication from counsel to client |
| 3610 | Privileged communication from client to counsel |
| 3616 | Privileged communication from client to counsel |
| 3623 | Privileged communication from client to counsel |
| 3625 | Privileged communication from client to counsel |
| 3643-3645 | Privileged communication from counsel to client |
| 3646 | Privileged communication from client to counsel |
| 3648 | Privileged communication from client to counsel |
| 3649 | Privileged communication from counsel to client |
| 3651 | Privileged communication from counsel to client |
| 3666 | Privileged communication from counsel to client |
| 3668 | Privileged communication from counsel to client |

| <u>Document Number</u> | <u>Document Identity</u> |
|------------------------|--|
| 3669 | Privileged communication from counsel to client |
| 3671 | Privileged communication from counsel to client |
| 3674 | Privileged communication to counsel from client |
| 3677 | Privileged communication to counsel from client |
| 3678 | Privileged communication from counsel to client |
| 3680 | Privileged communication from counsel to client |
| 3691 | Privileged communication from client to counsel |
| 3697 | Privileged communication from client to counsel |
| 3705 | Privileged communication between counsel |
| 3707-3717 | Privileged e-mail communication between counsel |
| 3719-3723 | Privileged communication between counsel |
| 3724 | Privileged communication between counsel |
| 3726-3727 | Privileged communication between counsel |
| 3729-3773 | Privileged communication between counsel |
| 3777-3780 | Privileged communication from counsel to client |
| 3788-3789 | Internal communication of Plaintiff's former counsel |

In addition, the following privileged documents were inadvertently disclosed. These are clearly privileged communications which should be immediately returned to counsel for Plaintiff.

| <u>Document Number</u> | <u>Document Identity</u> |
|------------------------|---|
| 564 | Privileged communication from counsel to client |
| 568 | Privileged communication from counsel to client |
| 570-71 | Attorney work product |

| | |
|-----------|--|
| 628-29 | Privileged communication from counsel to client |
| 3386-3387 | Privileged correspondence from counsel to client |
| 3388 | Privileged e-mail communication between counsel |
| 3393-3397 | Privileged e-mail communication and correspondence between counsel and client |
| 3400-3407 | Privileged e-mail communications between counsel and client and hand-written attorney work product |
| 3408-3409 | Privileged correspondence from counsel to client |
| 3410 | Privileged correspondence from client to counsel |
| 3411-3413 | Privileged e-mail communications between counsel and client |
| 3447-3450 | Privileged correspondence from counsel to client |
| 3657-3661 | Attorney work product |
| 3688 | Privileged correspondence from client to counsel |

Respectfully submitted,

s/Amy Gasser Callow
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Notices1:02-cv-00479-SAS-TSH Jefferson-Pilot Life v. Kearney, et al**U.S. District Court****Southern District of Ohio**

Notice of Electronic Filing

The following transaction was received from Ellis, William entered on 5/28/2004 at 2:42 PM EDT and filed on 5/28/2004

Case Name: Jefferson-Pilot Life v. Kearney, et al

Case Number: 1:02-cv-479

Filer: Jefferson-Pilot Life Insurance Company

Document Number: 59

Docket Text:

NOTICE by Plaintiff Jefferson-Pilot Life Insurance Company of *Filing Privilege Log* (Attachments: # (1) Exhibit Privilege Log)(Ellis, William)

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1040326259 [Date=5/28/2004] [FileNumber=270547-0]
[3eb55eb91476d2e535b79be0bbffff20b9bd0e8a04d09b5dc2d5962de8d5d59316c0
367a2c0027b50c6435209ab91ee0ec2d820410811ca69d5aa4416896f123]]

Document description: Exhibit Privilege Log

Original filename: n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1040326259 [Date=5/28/2004] [FileNumber=270547-1]
[45633b8b30e7a186008dfa070666d7e4504ea440064368f433b7bf3dae993db31b75
c8997710b6615dbf85c2aa55e26a9c2f07e5c0a502cbbc430b7296aacd99]]

1:02-cv-479 Notice will be electronically mailed to:

Peter M Burrell pmburrell@woodlamping.com,

Amy Gasser Callow agcallow@woodlamping.com,

William Robert Ellis wrellis@woodlamping.com,

Eugene Louis Matan ematan@mgwlaw.com,

Michael A Roberts mroberts@graydon.com

1:02-cv-479 Notice will not be electronically mailed to: